

Message Text

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C O N F I D E N T I A L STATE 106018

NODIS

E.O. 11652: XGDS-1

TAGS: PGOV, KS, US

SUBJECT: JAWORSKI DIALOGUE WITH ROK AMBASSADOR RE ACCESS
TO KIM DONG-JO -

SUMMARY: IN FIRST MEETING BETWEEN LEON JAWORSKI AND ROK
AMBASSADOR KIM YONG-SHIK, KIM PRESENTED ROK PROPOSAL FOR
FORMER AMBASSADOR KIM DONG-JO TO COMMUNICATE WITH THE
ETHICS COMMITTEE IN COMBINATION OF PHONE DIALOGUE AND
LETTER. IN CONCESSION FROM PREVIOUS DEMAND FOR FACE-TO-
FACE SWORN INTERROGATION, JAWORSKI SUGGESTED THAT THE TWO
PARTIES ARRANGE TO BE PRESENT IN SAME BUILDING AND CONDUCT
DIALOGUE THROUGH MESSAGES OR INTERMEDIARY WHICH WOULD
PERMIT RAPID FOLLOW-UP QUESTIONING. ALTHOUGH FINAL
GAP IN METHODOLOGY WAS NOT CLOSED, MEETING WAS CORDIAL AND
BOTH PARTIES AGREED TO DISCUSS FURTHER. END SUMMARY.

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1. UNPUBLICIZED MEETING WAS ARRANGED AT THE DEPART-
MENT APRIL 25 BETWEEN HOUSE ETHICS COMMITTEE SPECIAL
COUNSEL JAWORSKI AND ROK AMBASSADOR KIM YONG-SHIK TO
DISCUSS POSSIBLE COMMITTEE ACCESS TO TESTIMONY OF FORMER
AMBASSADOR KIM DONG-JO. -

2. JAWORSKI WAS ACCOMPANIED BY PETER WHITE. AMBASSADOR

KIM WAS ACCOMPANIED BY COUNSELORS PARK KUN-WOO AND KIM SUK-KYU. ASSISTANT SECRETARY HOLBROOKE AND KOREA COUNTRY DIRECTOR RICH WERE PRESENT FOR INITIAL PORTION OF MEETING AT WHICH BOTH PARTIES PRESENTED THEIR POSITIONS, BUT THEN WITHDREW TO PERMIT DIRECT PRIVATE DISCUSSION. AVAILABLE DETAILS FOLLOW.

3. TONE OF MEETING WAS CORDIAL AND INFORMAL. THIS WAS FIRST FACE-TO-FACE DISCUSSION BETWEEN KIM AND JAWORSKI AND OBVIOUSLY DID MUCH TO DISPEL KIM'S NEGATIVE IMAGE OF LATTER OBTAINED FROM TV. KIM PRESENTED ROK PROPOSALS ALONG NOW FAMILIAR LINES INVOLVING WILLINGNESS TO ENGAGE IN SOME COMBINATION OF TELEPHONE CALL(S) BY FORMER AMBASSADOR KIM DONG-JO AND FOLLOW-UP LETTER(S).

4. JAWORSKI OUTLINED HIS IDEAL REQUIREMENT AS A MEETING FACE-TO-FACE WITH KIM DONG-JO IN SOME MUTUALLY SATISFACTORY LOCATION TO OBTAIN SWORN TESTIMONY. HE EMPHASIZED THAT HE WAS NOT OUT TO EMBARRASS ROKG, AND INVESTIGATIVE INTERESTS WOULD BE SATISFIED MERELY BY ESTABLISHING KIM DONG-JO'S DEALINGS WITH SPECIFIC CONGRESSMEN. JAWORSKI AFFIRMED THAT THIS WOULD COMPLETE COMMITTEE'S REQUESTS TO ROKG, AND THAT INVESTIGATION COULD THEN RAPIDLY BE COMPLETED TO ADVANTAGE OF ALL PARTIES.

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5. JAWORSKI THEN SAID HE WAS PREPARED TO ACCEPT LESS THAN THIS IDEAL. IF FACE-TO-FACE MEETING WAS NOT FEASIBLE, THEN HE WAS PREPARED TO CARRY ON DIALOGUE THROUGH INTERMEDIARY OR EXCHANGES OF MESSAGES, BUT ONLY IF BOTH PARTIES WERE IN THE SAME BUILDING, THUS FACILITATING FOLLOW-UP QUESTIONING AND COMPLETE EXCHANGE. DIRECT PROXIMITY WOULD MAKE THIS PROCESS FEASIBLE, EVEN WITHOUT DIRECT MEETING. JAWORSKI STRESSED THAT HE HAD TO OBTAIN INFORMATION IN A MANNER FULLY USABLE BEFORE THE COMMITTEE AND JUSTIFIABLE TO AMERICAN PUBLIC, OTHERWISE IT WAS NOT WORTHWHILE TO PROCEED. IN LATTER CASE, HE WOULD HAVE TO REPORT TO AMERICAN PEOPLE THAT THE INVESTIGATION HAD BEEN TERMINATED IN A LESS THAN SATISFACTORY MANNER DUE TO INABILITY TO OBTAIN THE FULL COOPERATION OF THE ROKG IN MAKING AVAILABLE NEEDED TESTIMONY.

6. KIM STRESSED THAT THIS PROBLEM WENT BEYOND BILATERAL US-ROK RELATIONSHIP, SINCE INTERNATIONAL COMMUNITY WAS WATCHING, AND ROKG COULD NOT AFFORD TO PROCEED IN A MANNER WHICH GAVE THE IMPRESSION THAT A FORMER AMBASSADOR WAS GIVING FORMAL TESTIMONY IN MANNER NOT RECONCILABLE

WITH SOVEREIGN RELATIONS BETWEEN STATES.

7. ASSISTANT SECRETARY HOLBROOKE THEN SUMMARIZED THE POSITIONS OF THE TWO SIDES AND PRAISED AMBASSADOR KIM FOR HIS EFFORTS TO RESOLVE THIS TROUBLING ISSUE. HE EXPRESSED THE HOPE THAT THIS COULD BE EXPLORED FURTHER WITH SEOUL IN THE LIGHT OF TODAY'S DIALOGUE. AMERICAN OFFICIALS THEN WITHDREW AND MEETING CONTINUED FOR ALMOST 30 MINUTES MORE.

8. AMBASSADOR KIM SUBSEQUENTLY INFORMED US THAT HE FELT MEETING HAD BEEN MOST CONSTRUCTIVE, AND THAT HE FOUND JAWORSKI TO HAVE BEEN MUCH MORE SYMPATHETIC TO KOREAN PROBLEMS THAN HE HAD ANTICIPATED. KIM SAID
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THAT, IN VIEW OF JAWORSKI'S AGREEMENT NOT TO INSIST ON FACE-TO-FACE MEETING, HE DID NOT FEEL THE TWO PROPOSALS WERE FAR APART. AT ONE POINT HE TOLD JAWORSKI HE DID NOT SEE ESSENTIAL DIFFERENCE BETWEEN THE TWO METHODS SO WHY NOT ACCEPT TELEPHONE/LETTER DIALOGUE. KIM STATED PRIVATELY TO RICH THAT, HAD HE FELT HE HAD ANY LATITUDE IN HIS INSTRUCTIONS, HE BELIEVED HE COULD HAVE BRIDGED THE REMAINING GAP, BUT THAT HIS INSTRUCTIONS LEFT NO SUCH LATITUDE. WE DO NOT HAVE READOUT FROM JAWORSKI EXCEPT HIS COMMENT IN FAVORABLE VEIN THAT "WE ARE STILL IN COMMUNICATION."

9. COMMENT: OBVIOUS NEXT STEP IS FOR KIM TO REPORT

TO SEOUL AND SEE IF HE CAN OBTAIN ANY FLEXIBILITY TO EXPLORE A VARIATION ON THE TWO EXISTING PROPOSALS WHICH WILL BRIDGE REMAINING GAP. IF OPPORTUNITY EXISTS INFORMALLY TO NUDGE THIS PROCESS, SUGGEST YOU STRESS MAJOR CONCESSION BY JAWORSKI NOT TO INSIST ON FACE-TO-FACE MEETING WITH KIM DONG-JO AND HIS ASSURANCES NOT TO WANT TO EMBARRASS ROKG. BOTH JAWORSKI AND KIM AGREED THAT TONGSUN PARK TESTIMONY HAD GONE WELL AND APPRECIATION WAS EXPRESSED FOR ROKG ASSISTANCE. KIM INTENDS TO FOLLOW-UP QUICKLY NOW AND MEET ALSO WITH SENATOR STEVENSON. VANCE

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